

# The Repressed Nation

March, 2024



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**Pakistan Development Alliance:** Established in 2014, is an alliance of 107 national level NGOs/Networks working together through developmental and rights based approaches to address issues in governance and accountability across the country especially in the implementation of SDGs. The alliance is led by AwazCDS-Pakistan and is governed by elected national, provincial and regional executive committees at national, provincial and regional level. PDA is part of various national, regional and global alliances and forums including Asia Development Alliance (ADA), Asia CSOs Partnership for Sustainable Development (APSD), Action for Sustainable Development (A4SD), Global Call to Action against Poverty (GCAP), CIVICUS/AGNA- Affinity Group of National Associations and Transparency Accountability and Partnerships-TAP Network etc. For more information, please visit: [www.pda.net.pk](http://www.pda.net.pk)

**JANIC:** JANIC was founded in 1987 by a group of NGO leaders who saw the need to better coordinate activities in Japanese society and facilitate communication with groups overseas. It is a network of civil society organizations (CSOs) promoting to solve global issues. They unite and support over 100 organizations to help eradicate global poverty, inequality and injustice by maximizing strengths of their members.

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## **List of Acronym:**

**CRM:** Child Rights Movement

**DDCSA:** Defending Democracy and Civic Space in Asia

**FATF:** Financial Action Task Force

**HRDs:** Human Resources Development Society

**IUCN:** International Union for Conservation of Nature

**JANIC:** Japan NGO Center for International Cooperation

**NACG:** National Action & Coordination Group

**NPOs:** Non Profitable Organizations

**NWG:** National Working Group

**OHCHR:** Office of the United Nations High Commissioner for Human Rights

**PCSM:** Pakistan Civic Space Monitor

**PDA:** Pakistan Development Alliance

**PMLN:** Pakistan Muslim League (N)

**PPP:** Pakistan Peoples Party

**PTI:** Pakistan Tehreek-e-Insaf

**UPR:** Universal Periodic Review

**WHRDs:** Women human rights defenders

## 1. Introduction

Pakistan is a nation with a rich cultural heritage and a complex socio-political landscape. In recent years, Pakistan has grappled with a multitude of challenges, particularly concerning the state of its civil society. The landscape has been shaped by pivotal events, notably the 2010 Osama Bin Laden incident and the subsequent introduction of FATF policies in 2016. These events have had far-reaching implications, influencing not only the domestic governance framework but also Pakistan's standing on the international stage. While Pakistan exited the grey list in June 2022, stringent policies persist, impacting both local and global civil society organizations. There has been a visible trend towards increased restrictions on media freedom, with both civilian authorities and the military playing a role in curtailing dissenting voices. Criticism, whether direct or implied, of the military is often met with severe repercussions, creating an atmosphere where individuals fear reprisal for expressing their views.

Moreover, both foreign and domestic non-governmental organizations (NGOs) continue to grapple with government-imposed restrictions, further stifling the space for civil society activism. These restrictions have hindered the ability of NGOs to operate effectively and advocate for the rights of marginalized communities. Pakistan's institutional capacity and parliamentary interest in advancing civic rights agendas are hindered by various factors, including ideological constraints and resistance from entrenched interests. Initiatives aimed at raising the legal marriage age have faced resistance within parliament who argue that such measures contradict religious and cultural norms. As a result, bills addressing this issue often languish in parliamentary committees without significant progress. Similarly, efforts to combat domestic violence have been hampered by ideological constraints and societal attitudes. While laws addressing domestic violence exist, implementation remains inadequate due to a lack of political will. Furthermore, legislation concerning transgender rights has faced significant opposition from religious and conservative groups. Despite the passage of a bill recognizing the rights of transgender individuals in 2019, subsequent challenges and delays in implementation highlight the deep-seated resistance within Pakistani society to granting equal rights to marginalized communities.

In this context, Pakistan's institutional capacity to address civic rights agendas is further undermined by the prevailing political climate, where ideological considerations often take precedence over human rights concerns. Recognizing the gravity of these challenges, the Pakistan Development Alliance (PDA), representing civil society organizations (CSOs) across the country, has taken proactive measures to address these issues head-on. In collaboration with AwazCDS-Pakistan, the PDA conducted an extensive online survey in 2023 to assess the state of civic rights and spaces in Pakistan. With support from JANIC/TDF, the survey garnered participation from 655 CSOs, providing a comprehensive overview of the prevailing dynamics.

This report also highlights that Pakistan needs to cease its undue restrictions on fundamental rights that have the practical impact of closing civic space in contradiction with the obligations arising from the Universal Declaration of Human Rights, Pakistan's Constitutions and the international conventions and the treaties which the country has signed and ratified.

## 2. Key Developments to safeguard civic rights in spaces

### 2.1 Capacity building sessions with CSOs and related stakeholders on Civic rights and spaces:

PDA organized a significant introductory session on the International Human Rights System & UN Human Rights Mechanisms. This session, held physically on October 30th, 2023, in Islamabad, aimed to provide participants with a comprehensive understanding of international human rights frameworks and UN mechanisms. Facilitated by esteemed experts Christine Chung, South Asia Team Leader at OHCHR, and David Murphy, the session garnered active participation from 28 stakeholders representing a diverse array of civil society organizations, government officials, media representatives and bar council members. During the session, 30 participants delved into fundamental human rights concepts, exploring the intricate workings of UN Treaty Bodies and Special Procedures. Ms. Christine Chung provided invaluable insights into how these mechanisms monitor human rights implementation and hold states accountable for their obligations. Discussions also revolved around the Universal Periodic Review (UPR) and other UN mechanisms utilized to assess and enhance human rights situations globally. A highlight of the session was the launch of the Pakistan Civic Space Monitor (PCSM) for its second round in 2023 and beyond, spearheaded by Mr. Zia ur Rehman (National Coordinator-PDA). The PCSM serves as a vital tool for tracking and enhancing the implementation of Pakistan's international human rights commitments, offering a real-time assessment of civic rights and spaces across the country and its regions.



By providing participants with a comprehensive understanding of international human rights frameworks and UN mechanisms, this activity facilitated meaningful discussions and fostered stronger connections between stakeholders and government entities. It underscored the imperative for enhanced knowledge sharing and collaboration to drive human rights advancement in Pakistan, particularly in the face of escalating challenges to civic spaces and human rights in recent years.

Pakistan Development Alliance initially aimed to conduct 5 virtual capacity development sessions focusing on human rights-based approaches with civil society organizations (CSOs) and government departments across four different provinces, along with regional areas. Since the situation in 2022-2023 presented significant obstacles; there was heightened scrutiny on online activities, including

internet blackouts and ongoing political instability, which hindered our ability to execute these activities effectively online. Additionally, there was a series of violent clashes that took place on 9th May 2023 in Pakistan, following the arrest of PTI party's Leader, Imran Khan. PTI's supporters descended into violent riots, and the situation escalated to involve the armed forces, resulting in physical altercations. Amidst the chaos, individuals were deprived of their freedom of expression, and a complete breakdown of the rule of law was observed.

Despite these challenges, recognizing the importance of adapting to the circumstances, we seized the opportunity presented by Christine Chung, South Asia Team Leader at OHCHR, who was visiting Pakistan during that time. Leveraging her presence, we made the strategic decision to transition the sessions into comprehensive one-on-one training sessions on UN Human Rights-Systems and Mechanisms, inviting participants from all across Pakistan, including representatives from NGOs, the bar council, media, and government departments. This shift allowed us to maximize the impact of the sessions by ensuring broad representation and engagement from stakeholders across diverse sectors and regions, despite the challenges posed by the external environment.



[https://www.thenews.com.pk/print/1124733-awareness-raising-session-held-on-human-rights-system.](https://www.thenews.com.pk/print/1124733-awareness-raising-session-held-on-human-rights-system)

[https://www.nation.com.pk/01-Nov-2023/experts-stress-society-s-role-in-creating-awareness-on-hr.](https://www.nation.com.pk/01-Nov-2023/experts-stress-society-s-role-in-creating-awareness-on-hr)

[https://dailytimes.com.pk/1144596/session-held-on-intl-human-rights-system-and-mechanism/.](https://dailytimes.com.pk/1144596/session-held-on-intl-human-rights-system-and-mechanism/)

[https://www.dailynationalcourier.com/news/awareness-raising-session-on-intl-human-rights-system-mechanism-held.](https://www.dailynationalcourier.com/news/awareness-raising-session-on-intl-human-rights-system-mechanism-held)

## 2.2 Engagement of CSOs and relevant stakeholders in reviewing and finalizing Pakistan Civic Space Monitor Tool 2023:

In order to review Pakistan Civic Space Monitor, a National Working Group (NWG) was established. NWG was comprised of leading CSOs leaders representing AwazCDS-Pakistan, Pakistan Development Alliance, Sungi Development Organization, PODA, Parliamentary Commission on Human Rights, National Action & Coordination Group (NACG), Ujala Network, Child Rights Movement (CRM), Pakistan Coalition for Education (PCE) and Sustainable Social Development Organization (SSDO). Pakistan Development Alliance prepared the updated draft

survey ensuring its efficacy and relevance in order to capture the evolving landscape of civic engagement and rights protection for civic space monitor. The survey was then presented in the NWG meeting. The invaluable inputs of NWG members were incorporated and the improved survey was shared with the provincial and regional lead organizations of Pakistan Development Alliance, this includes AwazCDS-Pakistan, Takhleeque Foundation (Sindh), Home Net (Punjab), Blue Veins (Khyber Pakhtunkhwa), Water Environment & Sanitation Society -WESS (Balochistan), Area Development Organization-ADO- (Azad Jammu & Kashmir), Publishing Extension Network -PEN (Gilgit Baltistan) and UGOOD (Islamabad Capital Territory -ICT). The survey was finalized after their inputs and launched through monkey survey during the months of October -November 2023.

### **2.3. Conducted PCSM Survey 2023 among CSOs and concerned stakeholders**

After the rigorous deliberations and improvements, the survey was widely circulated and distributed online across the nation in December 2023 through the list serves of Pakistan Development Alliance, National Humanitarian Network (NHN), Ujala Network, Child Rights Movement (CRM) and Pak NGOs network. The survey was also circulated through WhatsApp Groups of CSOs including CSOs Solidarity Group, Pakistan National Council Group of IUCN affiliated organizations, National Council for SDGs Group, Union of Small Farmers Group, Pakistan Political Economy Group, Corporate Social Responsibility-CSR Group. This time representative from the media and the bar council in this crucial initiative were also involved. In this way we aimed to capture a diverse range of perspectives and insights on the state of civic engagement and rights protection in the country. Through this concerted effort, invaluable feedback was gathered and perspectives from stakeholders deeply invested in advancing the cause of civil liberties and democratic principles across the country.

### **2.4. Analysis and findings of PCSM 2023:**

Following the meticulous collection of responses from comprehensive survey on civic rights and spaces in Pakistan, the next critical undertaking involved the thorough analysis of this invaluable data. Leveraging a robust analytical framework, examined the survey responses were analyzed to discern emerging trends, identify key challenges, and highlight notable areas of progress. This rigorous analysis served as the cornerstone for updating the Pakistan Civic Space Monitor (PCSM 2024), a flagship tool for monitoring and assessing civic space dynamics in the country. By integrating the latest insights and findings obtained from the survey into the PCSM, it was ensured that this vital resource remained current, relevant, and reflective of the evolving landscape of civic engagement and rights protection. Hence the updated PCSM serves as a trusted reference for civil society organizations, policymakers, and other concerned stakeholders.

The overwhelming response to the survey underscores its significance and impact. This year, PDA received an unprecedented threefold increase in responses, with representation of 655 CSOs from all across the country. Such extensive engagement underscores the urgency and importance of addressing civic rights and spaces in Pakistan. The Pakistan Civic Space Monitor (PCSM) employs a comprehensive classification system to assess the status of civic space, ranging from Open to Closed, based on scores ranging from 1 to 100. The PCSM classifies the status of civic space in five categories i.e. **Open (81-100), Narrowed (61-80), Obstructed (41-60), Repressed (21-40) and**



**Closed (1-20).** The more the score the better the civic space situation would be. Notably, in 2023, Pakistan received a score of **23 out of 100**, placing it within the **Repressed category**. This underscores the significant challenges facing civic space within the country highlighting the pressing need for concentrated efforts to address the underlying issues and safeguard fundamental rights and freedoms.

**The PCSM score are derived from following seven fundamental pillars:**

- i. **Status of Right to Freedom of Speech & Assembly:** Freedom of expression/ speech and assembly is a constitutional right in Pakistan under article 19 that states “ Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, [commission of] or incitement to an offence<sup>1</sup>.”

However, the analysis against Freedom of Speech and Assembly revealed a concerning score of **22/100** for the **Status of Right to Freedom of Speech & Assembly**. This score indicates significant challenges and restrictions faced by individuals and groups in exercising their fundamental rights to freedom of expression and assembly within Pakistan. It underscores the urgent need for initiatives aimed at promoting and protecting these essential rights, where individuals can freely express their opinions and peacefully assemble without fear of reprisal or censorship.

- ii. **Civic Space & Human Rights:** Pakistan has never ever witnessed as human rights friendly country in the whole of its history because of several chaotic policies and anti-human rights laws. According to the Law Commission of Pakistan<sup>2</sup> almost 120 laws in the country are discriminatory towards civic and human rights. Although Pakistan is signatory of various global commitments like UDHR and ICCPR, CEDAW and CRC and SDGs yet the national and provincial laws of the state are not completely compatible to these global commitments. This is why the score for **Civic Space & Human Rights** recorded to be **50** which comes under “Obstructed” status. The reluctance of many Civil Society Organizations (CSOs) to express themselves freely may contribute to this score.

**According to the recent report by Freedom house in 2023<sup>3</sup>,** Pakistan Country Report sheds light on this issue, revealing a stark reality with score of 37/100 for freedom for non-governmental organizations, especially those engaged in human rights- and governance-related work, underscores the challenges faced by CSOs in Pakistan. This low score reflects the significant pressures and constraints imposed on CSOs, limiting their ability to operate independently and advocate effectively for human rights and good governance. Generally in Pakistan, CSOs working for civic and human rights, sexual and reproductive health & rights,

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<sup>1</sup> <https://pakistani.org/pakistan/constitution/part2.ch1.html#33>

<sup>2</sup> <http://ljcp.gov.pk/nljcp/#11>

<sup>3</sup> <https://freedomhouse.org/country/pakistan/freedom-world/2023>

women rights, transgender rights, democratic rights are more repressed than those who are working for services delivery. The regulatory environment towards rights based NGOs, INGOs and CSOs is stringent as they have to obtain “ No Objection Certificates (NOCs) and MOUs with concerned departments and district/ provincial governments where-ever they intend to intervene. Every organization receiving foreign funding or intend to work with foreign donors require clearance from security agencies as well as must sign an MOU with Economic Affairs Division. Usually it takes more than one to get such permissions and in some cases the permission is withdrawn early. Moreover, in some cases the permission is not granted even after a long process of more than two years.

- iii. **Freedom of Information & Dissemination-** In 2010, the insertion of Article 19A<sup>4</sup> in the Constitution, through the 18th Amendment, was a significant development for promoting transparency, accountability and for considering access to information as a constitutional right in Pakistan. The Constitution of Pakistan under Article 19A guarantees right to information as “Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law”. Right to Information Commissions are active at federal and provincial levels in the country since 2017, however there are several restriction being faced by the citizens to have access to information in true sense. Many media houses and journalists as well as CSOs and social media activists usually complaint against the performance of RtI Commissions and disclosure policies of the government. Despite the fact, that all four provinces and federal have laws on Right to Information but public officials continue to try to legalize secrecy by adopting vague arguments and misinterpreting some provisions in these laws.

It can also be depicted in the PCSM where **Freedom of Information & Dissemination** scored **20** reflects a concerning limitation in access to information and transparency, which underscores the challenges faced by individuals and organizations seeking to disseminate and access crucial information. It is also imperative to note that Data Protection Law does not exist in the country therefore validity and efficacy of the available/ provided data may also be questioned.

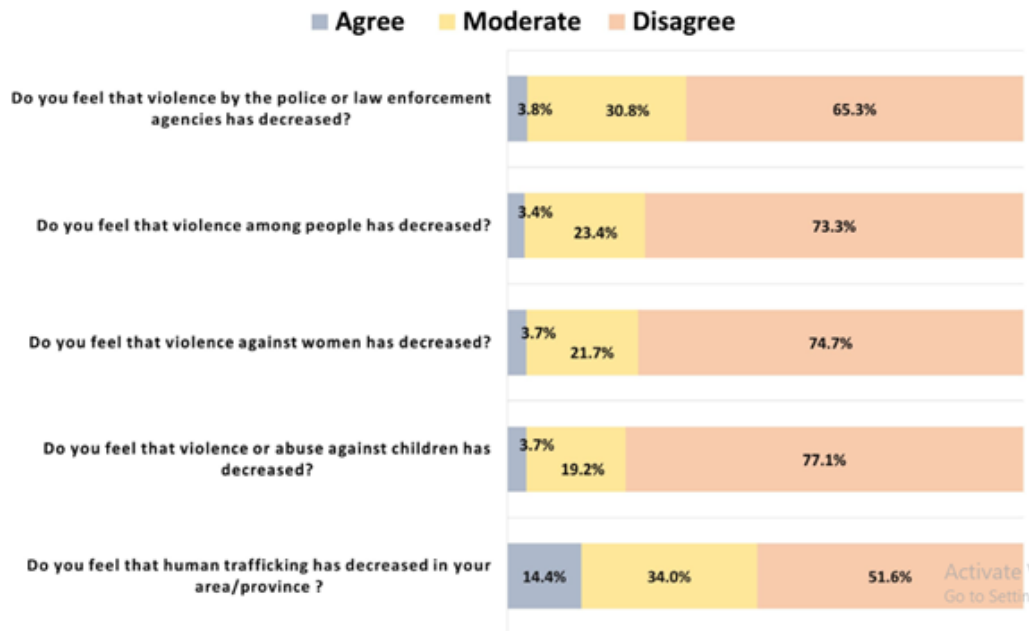
- iv. **Situation of Vulnerable Groups-** Violence against women, children, people with disabilities, religious minorities and transgender communities including murder, blasphemy attempts, honor killing, rape, acid attacks, domestic violence, denial of education, sexual harassment at work, and child and forced marriage is a serious problem throughout Pakistan. The United Nations Children’s Fund (UNICEF) estimates that 18.9 million girls in Pakistan are married before the age of 18 and 4.6 million before 15<sup>5</sup>. Many married girls are forced into dangerous pregnancies at a young age and pregnancies that are too closely spaced. Women from religious minority communities remain particularly vulnerable to forced marriage. The government did little to stop such early and forced marriages.

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<sup>4</sup> <https://www.pakistani.org/pakistan/constitution/part2.ch1.html>

<sup>5</sup> <https://www.hrw.org/world-report/2023/country-chapters/pakistan#:~:text=The%20UN%20Children's%20Fund%2C%20UNICEF,that%20are%20too%20closely%20spaced.>

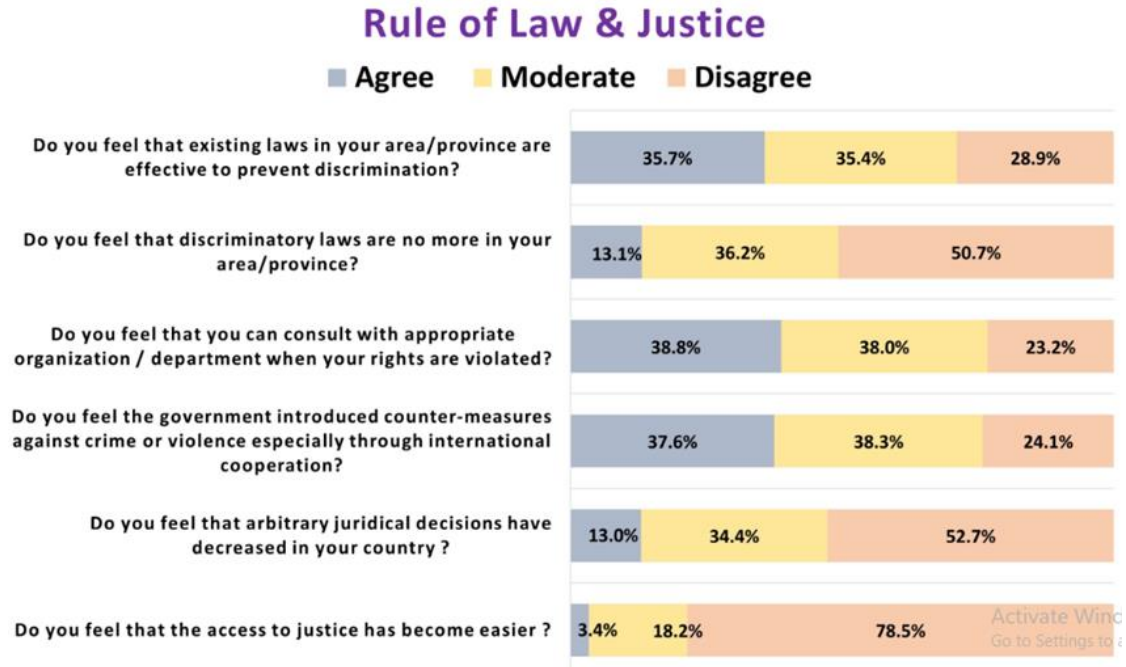
## Situation of Vulnerable Groups



When respondents were asked if the incidents of violence by police and law enforcement agencies, violence against children, women and cases of human trafficking decreased so a dark reality can be seen with the percentage of people who are disagreeing the statements. The alarmingly overall low score of **06** for the **Situation of Vulnerable Groups** highlights the pervasive threats and challenges faced by marginalized communities in Pakistan. Instances of increased violence against women, coupled with reports of child abuse and brutality by law enforcement agencies, underscore the urgent need for targeted interventions to safeguard the rights and well-being of vulnerable populations. Additionally, complaints of vulnerability to kidnapping and forced conversions among minority communities further emphasize the systemic injustices and human rights violations that demand immediate attention and redressal.

- v. **Rule of Law & Justice-** Rule of Law and Justice has been one of the major challenges being faced by the people of this country. The survey has rightly highlighted as majority of the respondents strongly with the statement that access to justice has become easier in the country. This has already mentioned above that almost 120 laws in the country are discriminatory towards the principle of human rights. Furthermore, most of the laws are coming through the funnel of religion. Parliament of Pakistan is sub-servient to Council of Islamic Ideology (CII). The Council of Islamic Ideology is a constitutional body that advises the legislature whether or not a certain law is repugnant to Islam, namely to the Qur'an and Sunna. Most of the legislation related to blasphemy, honor killing, customary practices, women and transgender rights, early, child and forced marriages, forced conversions,

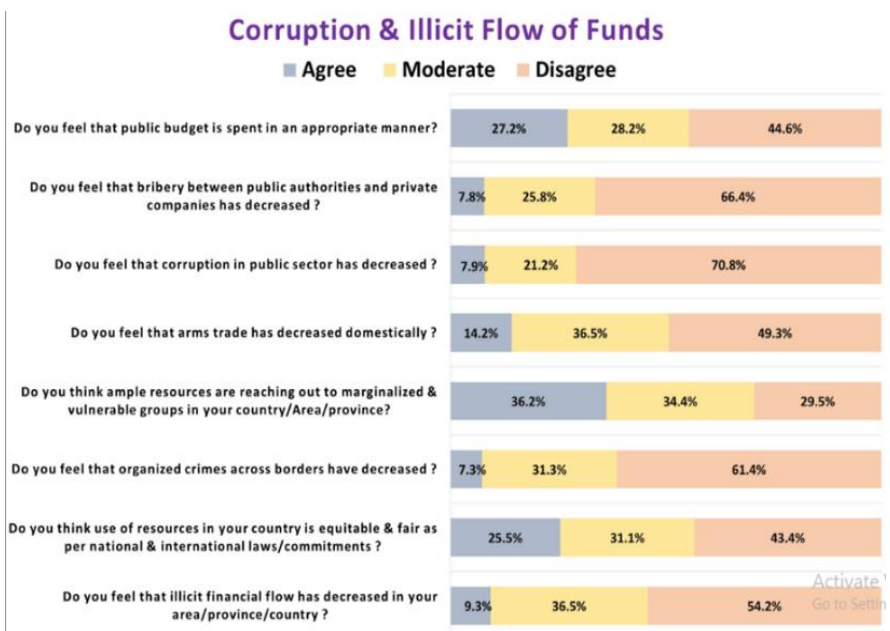
freedom of expression and other fundamental human rights issues are either delayed or totally dismantled by the members of the Council of Islamic Ideology.



The overall score of **24** for **Rule of Law & Justice** underscores the significant challenges plaguing Pakistan's judicial system. This score is derived from these questions asked in the survey. People showed their dissatisfaction on the situation of rule of law and justice in the country. Almost 60% of the respondents do not feel that they can even consult with relevant departments. Authorities if their rights are violated because they have no confidence on the system to provide them justice. Because endemic issues such as corruption, intimidation, and insecurity continue to undermine public trust in the judiciary, exacerbating the backlog of cases and resulting in low conviction rates for serious offenses. These systemic shortcomings highlight the pressing need for comprehensive reforms aimed at strengthening the rule of law and ensuring equitable access to justice for all.

vi. **Corruption & Illicit Flow of Funds-** The overall score of **17** for **Corruption & Illicit Flow of Funds** underscores the persistent challenge of endemic corruption within Pakistan's governance structures. Despite the presence of formal safeguards and relatively progressive laws governing public finances and procurement processes, corruption remains widespread in practice. Of particular concern is the lack of transparency surrounding military affairs, highlighting the need for greater accountability and oversight mechanisms to combat corruption effectively. The survey results regarding questions on corruption and illicit flow of funds demands immediate

attentions of policy makers and state authorities as the trends are continuing with the same pace in other similar national and global surveys. For example, only 9.3% respondents agreeing that illicit financial flows have decreased in the country. Respondents also showed

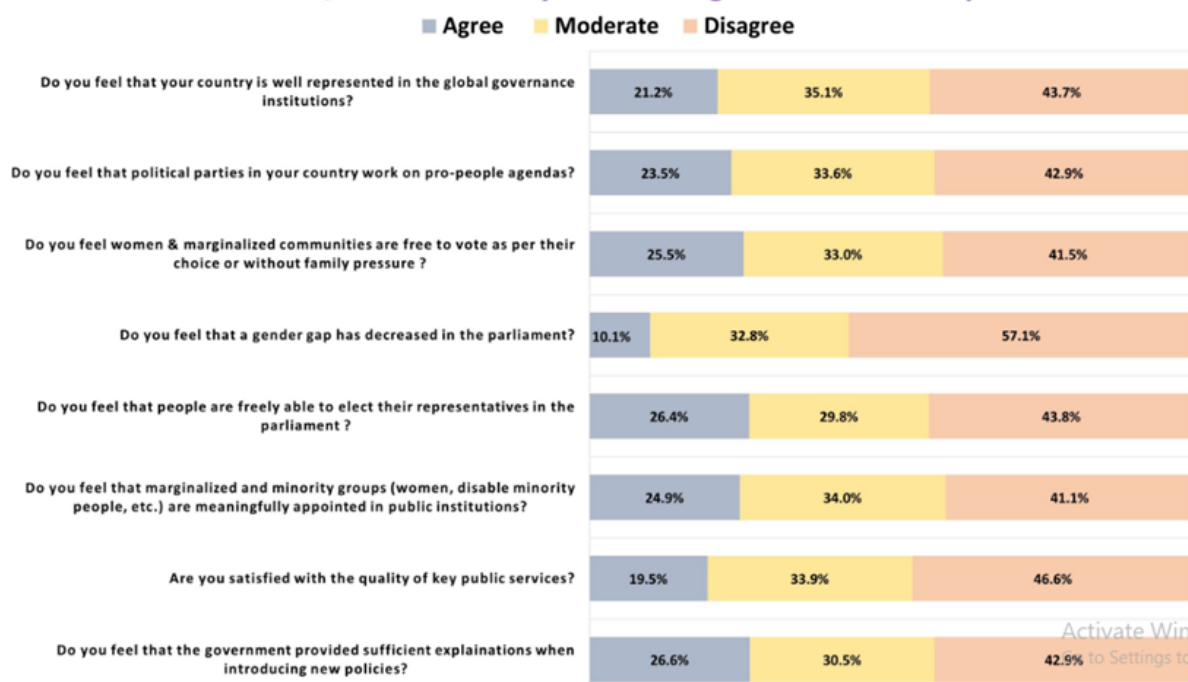


dissatisfaction over the unequal and unfair distribution of resources in the country with 74.5%. Corruption Perception Index 2023 places Pakistan at 133<sup>rd</sup> Rank out of 180 countries with 29/100 score<sup>6</sup>.

vii. **Governance Accountability and Meaningful Public Participation-** The score of **22** for **Governance Accountability and Meaningful Public Participation** reflects persistent challenges within Pakistan's governance framework. While formal safeguards exist, corruption remains widespread, with accountability mechanisms often being selective and politically motivated. Moreover, the military and judiciary operate their own disciplinary systems for corruption, contributing to a lack of cohesive accountability. Marginalization of public participation is evident, as citizens face obstacles in freely organizing within political parties or competitive political groupings. The manipulation of politics by religious extremists has persistently stifled voters' freedom to express their political preferences. Despite a joint electorate system allowing non-Muslim minorities to participate in general elections, their political engagement remains marginal. While political parties maintain active women's wings during elections, practical obstacles hinder women's voting rights, particularly in regions like Khyber Pakhtunkhwa and Baluchistan, where militant groups and societal constraints hold sway. Women's representation in political-party or government leadership roles remains scarce. Additionally, the interests of LGBT+ individuals often go unrepresented by elected officials, highlighting the ongoing challenges to inclusive political participation and representation in Pakistan.

<sup>6</sup> <https://www.transparency.org/en/cpi/2023>

## Governance, Accountability & Meaningful Public Participation



The above graph shows that more than 70% of the respondents moderately and completely disagree that the government provides sufficient explanations when introduce new policies whereas only 26.6% agree. Public participation and debate on public policies are restricted due to several policy, structural and practice level challenges. Political fraternity and ruling elite (bureaucrats) are usually biased towards the public opinions. They even do not like to engage with civil society and most of them consider civil and human rights organizations as agents of western world. However, it also depends upon the relational capacity of CSOs to maneuver their engagement with them for policy reforms and influence. Local governments are nonfunctional therefore engagement of grassroots level public representatives is also minimal.

Only 19.5% respondents are satisfied with the quality of public services in Pakistan. Most of the basic civic amenities are related to food, health, education, water and sanitation etc. People usually do not trust public sector education, health, food and WASH facilities.

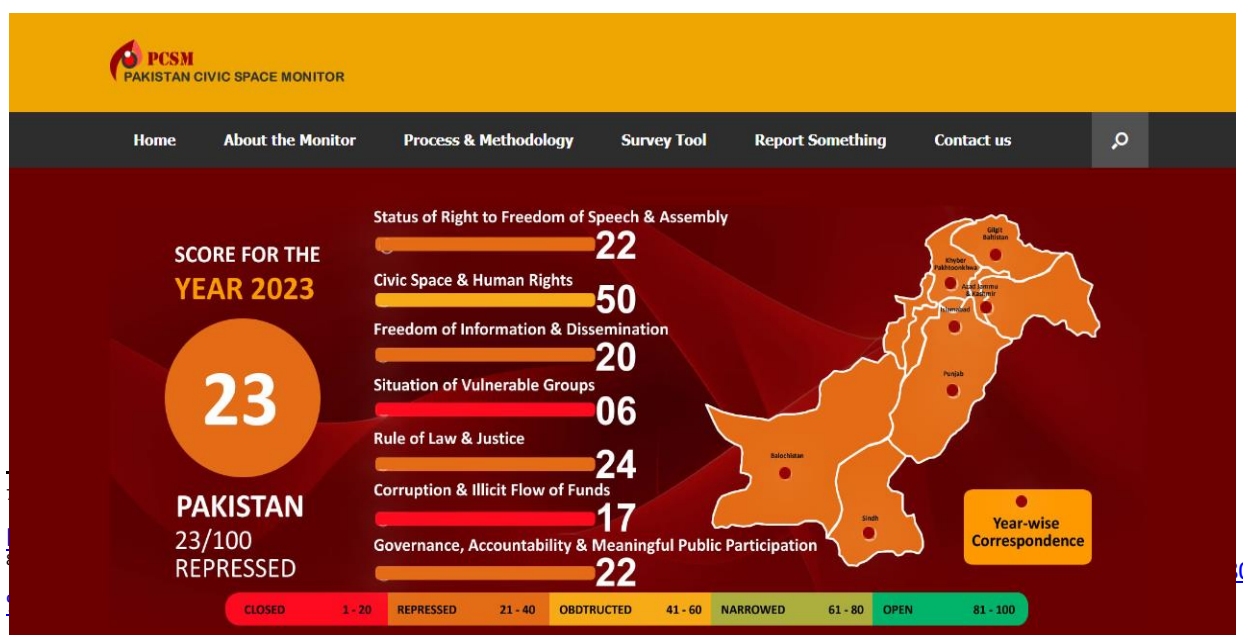
41.1% respondents completely disagreeing and 34% moderately agreeing in the current civic space survey that marginalized communities including PLWDs, women, transgender and minorities are meaningfully appointed in the public institutions. Federal government law says 2% public jobs quotas are for minorities and PLWDs whereas provincial job quotas reach up to 5% however none of the government ever implemented the quota provisions in letter and spirit.

Women participation in work force at public and private sector is very lower than 10% and women engaged at management level are less than 5%<sup>7</sup>. The spectra of gender inequality is large. In the World Economic Forum's (WEF) Global Gender Gap Report 2023<sup>8</sup>, Pakistan has been ranked 142 out of 146 countries<sup>32</sup> per cent of ever married women aged 15-49 have experienced physical violence; 29 % of women were married before 18 years of age. 17% of the total 432 seats in the national Parliament of Pakistan are allocated to women and their election is based on proportional representation of political parties whereas only on 5% seats are allocated to women for general elections. The graph shows that 89.9% respondents agree that gender gap exists in the Parliament of Pakistan.

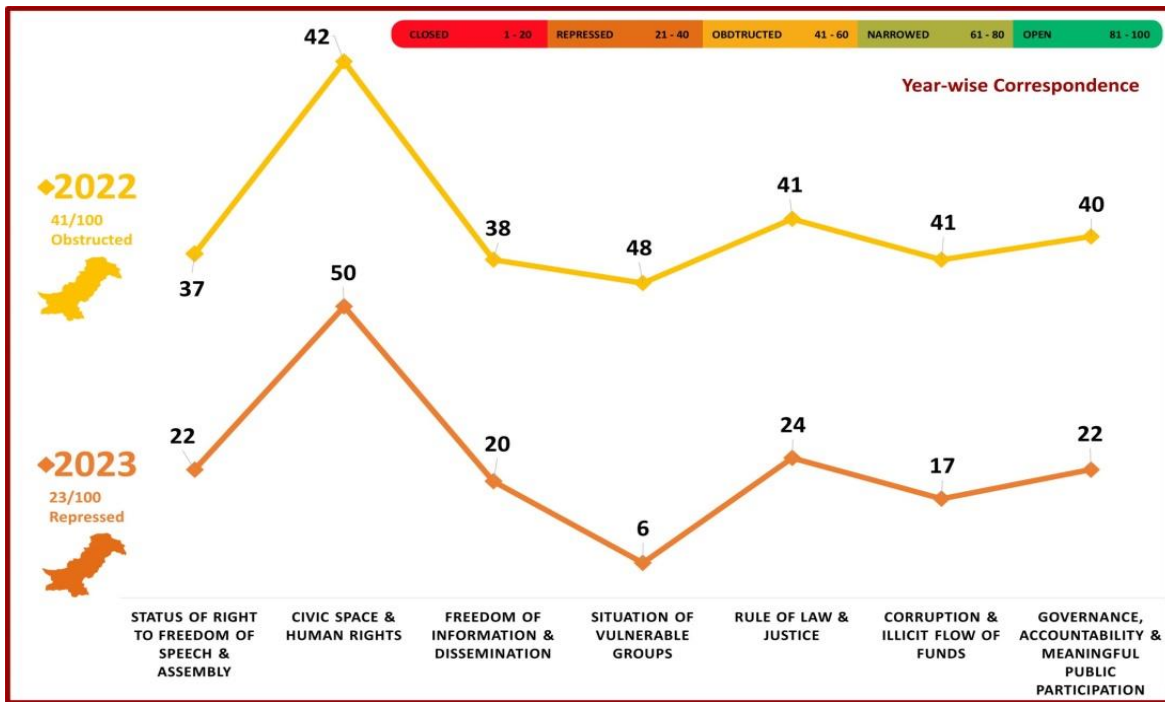
Interesting results have been witnessed in the current civic survey regarding representation of Pakistan as well as dominance of developed world in the global governance. Less than 22% of the respondents agree that Pakistan is well represented in the global governance bodies whereas more than 72% respondents agree that global governance is dominated by the developed world. There is no doubt in this as Pakistan government have zero influence at G7, G20 processes. Somehow civil society from Pakistan try to attend and influence parallel processes through C7 and C20 engagements. On the other hand Pakistani government effectively engage with other global forums like World Economic Forum, OIC and United Nations' General Assembly etc.

## 2.4.1 Comparison of PCSM 2022 and 2023 results

In the first-ever launch of the Pakistan Civic Space Monitor (PCSM) in 2022 results revealed a concerning **obstruction** of civic space in Pakistan, with a score of 41, whereas this year with such extensive engagement of CSOs from all across the country the survey results revealed that Pakistan falls under the **repressed** category concerning civic spaces and rights, highlighting the pressing need for advocacy and reform efforts in this domain.



To provide a visual representation of this data, the below graph illustrates the year-wise comparison of civic rights and spaces situations in Pakistan for year 2022 and 2023.



Both the graphs show massive difference in the situation against each fundamental pillar. It is evident from the graph that only one category of Civic Space and Human Rights got improved from the last year's results. But at the same right, it is contradictory if other pillars of freedom of speech, assembly, right to information, access to justice, governance and accountability have immensely decreased. Hence, the overall score of civic space has gone down half the way from obstructed to repressed that highlights the need to initiate processes for dynamic accountability and focus on human rights based approaches to empower rights holders.

The subsequent launch of the Pakistan Civic Space Monitor (PCSM 2023) was a pivotal moment, shedding light on the repressed status of civic space within the country. With a score of 23, the PCSM highlighted the urgent need for action to safeguard civic freedoms and promote democratic principles. Importantly, the PCSM's findings were corroborated by the Global Civicus Monitor, lending further credence to the assessment.

## 2.5. CSOs Charter for Civic Rights and Spaces in Pakistan December 2023

Civil society sector plays significant role in socio-economic development and political empowerment of society at large in Pakistan. CSOs/ NGOs /NPOs also work as forefront institutions in times of need to rescue, relief, recovery, rehabilitation and even reconstruction in case of any manmade or natural catastrophes. In spite of their vital role the CSOs in Pakistan face severe challenges and gradual loss of their development gains including challenges to their own existence, due to **restrictive legal environment, financial viability and public image** etc. According to [The Civicus Monitor](#), Pakistan comes under **repressed** category as far as civic spaces and rights are concerned. Pakistan Development Alliance conducted countrywide surveys and consultations with



informed CSOs. The online survey was responded by **655 CSOs** from all across the country. This year 3 times more responses have been received. According to the responses 47.8% CSOs representatives were agreed and 38.2% partially agreed that government restricts freedom assembly, association and speech. The detailed findings of the survey were also shared with related stakeholders including government authorities. 66.7% of the responded agreed that civic spaces are squeezed and around 68.4% agreed that threats to journalists, trade unions and human rights defenders have increased. Around 74.7% respondents agreed that violence against women has increased while 77.1% respondents agreed that abuse and violence against children has increased in recent years. 78.5% respondents agreed that access to justice has become difficult in Pakistan. Around 70.8% respondent agreed that corruption has increased whereas 54.2% agreed that illicit flow of funds has increased in Pakistan in recent years. 37.7% respondent agreed that government is failed to provide sufficient protection to human rights defenders. HRDs / WHRDs and civic rights activists will have face negative consequences if they express their opinion in public. 55% averagely agreed that work for the rights of minorities, transgender community, women and other socially excluded groups. Around 68.2% respondents agreed that NGOs face challenges in opening of bank accounts whereas around 49.2% respondents agree that NGOs /CSOs face unnecessary restrictions from security agencies and govt. departments whereas 37.9% agreed that CSOs are unable to receive foreign funding for their developmental interventions.

**The CSOs Charter for Civic Rights & Spaces** is based upon the recommendations collected through the survey as well as consultation with informed Civil Society & related government institutions/departments. The Charter is already adopted and endorsed by AwazCDS-Pakistan, Ujala Network, Umang Champions and Pakistan Development Alliance, Child Rights Movement (CRM), National Action & Coordination Group (NACG) and large number of other Civil Society organizations.

We the CSOs / HRDs/ WHRDs / NPOs and others demand that

- 1) Representation of minorities required to be increased in local governments (currently minorities are allowed to have their seats in the constituencies where there is at least 5% minority population)
- 2) Forced conversion -restriction laws need to be introduced
- 3) Government should public the Commission of Inquiry Report on enforced disappearances and initiate legislation for the criminalization of enforced disappearance and put an end to the practice of enforced disappearance and secret detention.
- 4) Government should review the coercive policies and regulatory frameworks towards NGOs and create rightful spaces for them to ensure freedom of expression and association
- 5) Multi-stakeholders engagement processes need to be initiated under the umbrella of UN for regional peace, trade & development, enhanced civic spaces and freedom of expression and association
- 6) MOU with Economic Affairs Division should be for the eligibility of NGOs to receive foreign contributions instead acquiring MOU for every project funded by foreign donors
- 7) Renewal of registration / MOUs should be for at least three years instead on annual basis.
- 8) Registration authority should release letter for the opening of registered NGO Bank Accounts in the scheduled Banks. The matter should also be notified by the State Bank of Pakistan
- 9) State Bank of Pakistan should write to all Banks to avoid asking EAD MOU from those NGOs which are not getting any direct funding from foreign donors.

- 10) One window operation required to be introduced to ensure ease of doing business in social sector
- 11) Charity work should not be regularized as cognizable offence (KP Charity Act imposes a fine of PKRs 100000 and 6 months imprisonment).
- 12) Govt should initiate open sensitization drive as well as engage meaningfully with CSOs prior to introduce any policy or regulation pertaining to CSOs/NGOs etc.
- 13) Multiple registration laws and outdated laws regarding NGOs need to be abolished.
- 14) CSOs/ NGOs should have a recognized forum for collective bargaining with govt on various challenges
- 15) CSOs /NGOs should submit their annual /audit reports to the concerned authorities on regular basis
- 16) Local CSOs/NGOs should be allowed to work freely anywhere in Pakistan on any of the human rights / civic rights challenge or issue.
- 17) There should be a coordination committee among various registration and regulation departments and they should meet on periodic basis to discuss how to facilitate NGOs better.
- 18) There should be a legal & national coordination council comprised of Govt and reps of CSOs for better coordination and support
- 19) Local civil society need to be strengthened and localization of global commitment be promoted & implemented through local CSOs
- 20) Local authorities need to put in place measures, in consultation with others including civil society, that could mitigate the gaps to ensure that the enforcement of regulatory policy framework does not lead to violations of the right to freedom of association

The charter was endorsed by following national NGOs/ CBOs:



## **2.6. Meetings with key political parties manifesto committees for the inclusion of civic rights and spaces agenda**

Given the challenging political climate in the country, conducting one-on-one meetings with key political parties proved unfeasible. In light of this constraint, we pivoted our approach by disseminating the Civic Charter of Demand (C0D.20) online in December 2023 to all major political entities, including members from PTI, PMLN, and PPP. Beyond these mainstream parties, we also extended the charter to Chief Minister Abdul Malik Baloch of Balochistan, who had previously demonstrated a robust commitment to incorporating recommendations from CSOs into the party's manifesto. His pledge to prioritize social democracy, voiced during the national dialogue on CSOs' call for a New Charter of Democracy on July 22, 2023, underscored the significance of our outreach efforts. Through this strategic dissemination, we aimed to advocate for the inclusion of civic rights and spaces agendas in the manifestos of political parties, thereby amplifying the voices of civil society and fostering a conducive environment for democratic discourse.

## **2.7. Attend all regional and global meetings and forums by JANIC/ TDF**

AwazCDS-Pakistan/PDA's National Secretariat representatives actively participated in various regional and global meetings and forums organized by JANIC/TDF. These engagements aimed to share insights, policy demands, and outcomes of our work, contributing to broader discussions on pertinent issues. Mr. Zia ur Rehman, Chief Executive of AwazCDS-Pakistan, notably attended several significant events, including

- The 1st DDCSA2023 webinar on October 12, themed "Climate Calamity: Access to Justice for Loss and Damage,"
- The 2nd DDCSA2023 webinar on November 11, focusing on "Closed or Expanded: Civic Space in Asia Today," and
- The 3rd DDCSA2023 webinar on December 19, centered on "Responsible Business and Human Rights in Asia."
- Additionally, Mr. Zia ur Rehman served as a speaker and presented at the 5th Tokyo Democracy Forum held on March 6, 2024.

These participations underscored our commitment to engaging in global dialogues, sharing best practices, and advocating for meaningful policy changes to address pressing challenges on both regional and international fronts.

## **2.8. Launch of PCSM 2023**

For the launch of PCSM 2023, PDA adapted a multifaceted approach to ensure widespread dissemination and engagement. Firstly, the launch took place at two levels: regionally and across PDA partners and all the CSOs development sector communities. Regionally, the unveiling occurred at the Asia Democracy Network Regional Assembly, providing a platform for regional stakeholders to become acquainted with PCSM 2023. Simultaneously, we conducted an online launch across our network of partners (Pakistan Development Alliance Network) and within the development sector communities, amplifying the reach and impact of PCSM 2023.

Furthermore, Mr. Zia-ur-Rehman was honored with an invitation from the platform of FORUM-ASIA to participate in the Asia Human Rights Defender Forum. At this esteemed gathering, Mr. Zia not only presented and launched PCSM but also actively engaged with human rights defenders to enhance support and involvement in this crucial initiative. This regional-level launch not only elevated the profile of PCSM but also fostered collaboration and solidarity among human rights advocates across the region.

### **3. Challenges:**

Pakistan Development Alliance faced various challenges while implementing this project to safeguard civic rights and spaces. Key challenges identified include government-imposed restrictions on civil society and media censorship that hindered our planned activities. The manipulation of political processes by vested interests exacerbates the issues of freedom of speech and assembly that automatically increased challenges in involving individuals, organizations, networks etc. Social media blackouts, and instances of violence further contributed to the challenges.

### **4. Conclusion:**

This report underscores the critical challenges facing civil society and the protection of civic rights and spaces in Pakistan. This report in hand shares the updated issues and challenges related to shrinking civic spaces, deteriorating human and democratic culture and values in Pakistan. The report also highlights the voices of civil society activists, human rights defenders and concerned citizens of Pakistan regarding status of civil and political liberties in Pakistan. The report also connects and co-relates local survey findings with those of global research reports and surveys to further strengthen the case. The report also suggests solutions to CSOs to regain their spaces by taking appropriate measures and building capabilities. The report also highlights demands from governments and global institutions / forums on behalf of CSOs in Pakistan on how to strengthen civil society role by building trust and reducing disconnect. The report also sets the strategic direction for the consideration of national and global CSOs, networks, alliances, national and global funding agencies in their future interventions towards the achievement of more sustainable and human rights friendly world.

Furthermore, there is a need for greater awareness and education on civic rights, as well as the promotion of a culture of tolerance and inclusivity. By addressing systemic challenges and fostering an enabling environment for civil society, Pakistan can realize its democratic aspirations and uphold fundamental rights for all its citizens.

## **Annexure-A**

### **Survey Tool**

The survey tool is the living tool that is open for feedback and improvement as per your convenience. Furthermore, the survey is shared with informed civil society during the month of November every year and the civic space status is generated by analyzing the responses. The status is updated on December 10th on the eve of international human rights day every year.

#### **A Status of Right to Freedom of Speech & Assembly**

- Do you feel free to speak in public?
- Do you feel free to speak to the media?
- Do you feel free to hold assemblies peacefully?
- Do you feel the government restricts the freedom of assembly, association and speech of individuals ?
- In your opinion, do human rights activist and NGOs can freely exercise their freedom of speech?
- In your opinion, do human rights activist and NGOs can freely exercise their freedom of assembly
- In your opinion, do human rights activist and NGOs can freely exercise their freedom of expression?

#### **B Freedom of Information & Dissemination**

- Do you feel that there is sufficient information disclosure by the government?
- Do you feel that threats to journalists, trade unions and human rights defenders have decreased?
- Do you feel that the media in your country are independent from the authorities to publish information?

#### **C Civic Space & Human Rights**

- Do you feel free to join civil society groups?
- Do you feel free to receive foreign funding?
- Do you feel that CSOs are respected as independent actors in their own rights?
- Do you feel that laws regulating CSOs in your area/province has become tightened?
- Do you feel that some people's legal status is fragile in your area/province?
- Do you feel that fundamental human rights in your area/province is secured?
- Do you agree that NGOs are free to work on any subject/ human right issue?
- Have NGOs been restricted to work in the geographic location and thematic area of their choice ?
- Do you think, People face difficulty for getting registration of new CBOs/NGOs/INGOs ?
- Do you think, NGOs / INGOs face difficulty for getting registration renewal certificates?
- Do you think, NGOs face difficulty for getting registration at Charity Commissions?
- Do you think, NGOs face difficulty for getting MoUs with Economic Affairs Division (EAD)?
- Do you think, NGOs face difficulty for getting NOC for project implementation
- Do organizations pay the cost of compliance for getting their MoUs with Economic Affairs Division (EAD)?
- Do organizations pay the cost of compliance for getting their registration at Charity Commissions?
- Do organizations pay the cost of compliance for getting their renewal certificates?
- Do people pay the cost of compliance for getting registration of new NGOs ?
- Whether the NGOs feel comfortable working with political leaders?
- Whether the NGOs feel comfortable working with religious leaders?
- Whether the NGOs feel comfortable working with communities?
- Whether the NGOs feel comfortable working with legal fraternity?
- Whether the NGOs feel comfortable working with academia?
- Whether the NGOs feel comfortable working with media?
- Whether the NGOs feel comfortable working with private/ business sector?
- Whether the NGOs feel comfortable working with government departments?
- Whether the NGOs feel comfortable working with INGO?
- Whether the NGOs feel comfortable working with other NGOs?
- Do you agree that NGOs are free to work on any subject/ human right issue?
- Do you agree NGOs face difficulties from security agencies to work on right based issues ?
- NGOs face difficulties to work on right based issues from religious leaders

NGOs face difficulties to work on right based issues from political leadership?  
 NGOs face difficulties to work on right based issues from Economic Affair Divisions?  
 NGOs face difficulties to work on right based issues from registration authorities?  
 NGOs face difficulties to work on right based issues from government departments  
 Does the state provide sufficient protection and support to human rights defenders?  
 Do NGO workers face negative consequences from State actors who express critical opinion in public?  
 Do you agree NGOs face difficulty in getting approvals to work on sexual and reproductive health & rights?  
 Do you agree NGOs face difficulty in getting approvals to work on gender rights?  
 Do you agree the NGOs face difficulty in getting approvals to work on children rights?  
 Do you agree the NGOs face difficulty in getting approvals to work on human rights?  
 Do you agree the NGOs face difficulty in getting approvals to work on transparency and accountability  
 Do you agree the NGOs face difficulty in getting approvals to work on climate change?  
 Do you agree the NGOs face difficulty in getting approvals to work on social protection?  
 Do you agree the NGOs face difficulty in getting approvals to work on access to justice?  
 Do you agree the NGOs face difficulty in getting approvals to work on peace and conflict resolution?  
 Do you agree the NGOs face difficulty in getting approvals to work on right to information?  
 Do you agree the NGOs face difficulty in getting approvals to work on women empowerment (socio, political and economic)?  
 Do you agree the NGOs face difficulty in getting approvals to work on gender based violence?  
 Do you agree the NGOs face difficulty in getting approvals to work on inheritance right of women?  
 Do you agree the NGOs face difficulty in getting approvals to work on democracy?  
 Do you agree the NGOs face difficulty in getting approvals to work on civil and political rights?  
 Do you agree the NGOs face difficulty in getting approvals to work on water and sanitation?  
 Do you agree the NGOs face difficulty in getting approvals to work on right to education?  
 Do you agree the NGOs face difficulty in getting approvals to work on life skills based education?  
 Do you agree the NGOs face difficulty in getting approvals to work with mother and child health?  
 Do you agree the NGOs face difficulty in getting approvals to work on family planning?  
 Do you agree the NGOs face difficulty in getting approvals to work on early age marriages  
 Do you think if NGOs are being asked for unnecessary audits by FBR/ EOBI or any related department?  
 Do NGOs face challenges from banks in receiving foreign funds?  
 Do NGOs face challenges from banks in closing bank account?  
 Do NGOs face challenges from banks in maintaining bank account?  
 Do NGOs face challenges from banks in opening bank accounts?  
 Do you think that the overall civic spaces/ funding opportunities for NGOs have been shrunk (squeezed) from last 10 years?

**D Situation of Vulnerable Groups**

Do you feel that human trafficking has decreased in your area/province?  
 Do you feel that violence or abuse against children has decreased?  
 Do you feel that violence against women has decreased?  
 Do you feel that violence among people has decreased?  
 Do you feel that violence by the police or law enforcement agencies has decreased?

**E Rule of Law & Justice**

Do you feel that the access to justice has become easier?  
 Do you feel that arbitrary juridical decisions have decreased in your country?  
 Do you feel the government introduced counter-measures against crime or violence especially through international cooperation?

Do you feel that you can consult with appropriate organization / department when your rights are violated?  
 Do you feel that discriminatory laws are no more in your area/province?  
 Do you feel that existing laws in your area/province are effective to prevent discrimination?

## **F Corruption & Illicit Flow of Funds**

Do you feel that illicit financial flow has decreased in your area/province/country?

Do you think use of resources in your country is equitable & fair as per national & international laws/commitments?

Do you feel that organized crimes across borders have decreased?

Do you think ample resources are reaching out to marginalized & vulnerable groups in your country/Area/province?

Do you feel that arms trade has decreased domestically?

Do you feel that corruption in public sector has decreased?

Do you feel that bribery between public authorities and private companies has decreased?

Do you feel that public budget is spent in an appropriate manner?

## **G Governance , Accountability & Meaningful Public Participation**

Do you feel that the government provided sufficient explanations when introducing new policies?

Are you satisfied with the quality of key public services?

Do you feel that marginalized and minority groups (women, disable minority people, etc.) are meaningfully appointed in public institutions?

Do you feel that people are freely able to elect their representatives in the parliament?

Do you feel that a gender gap has decreased in the parliament?

Do you feel women & marginalized communities are free to vote as per their choice or without family pressure ?

Do you feel that political parties in your country work on pro-people agendas?

Do you feel that your country is well represented in the global governance institutions?



**PDA is the forum of 121 rights based civil society organizations from all across the country including AJ&K and Gilgit Baltistan working together for better governance and accountability since 2014. For details**

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